

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE TRUSTEES OF THE NEW YORK STATE  
NURSES ASSOCIATION PENSION PLAN,

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/27/22
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Petitioner,

-against-

21-cv-8330 (LAK)

WHITE OAK GLOBAL ADVISORS LLC,

Respondent.  
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### ORDER

LEWIS A. KAPLAN, *District Judge*.

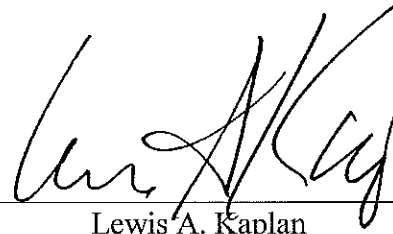
Before the Court is petitioners' motion for attorneys' fees, costs, and disbursements [Dkt 108]. The Court already has remarked in various rulings that White Oak has advanced meritless, "entirely unpersuasive," and even "borderline sanctionable" positions throughout this litigation. The Court has no difficulty concluding that White Oak sought to frustrate confirmation and enforcement of the arbitral award against it with needless motions and unceasing attempts to resuscitate already-rejected arguments.

White Oak's approach to this very application alone may be evidence enough of bad faith. Here, it argues that Covington & Burling's requested hourly rates are unreasonable and "not in line with those prevailing in the community." But it conveniently fails to mention that Sidley & Austin, the firm representing White Oak in this matter, recently requested fees in another case in this district at an hourly range that is more than twenty percent higher – at both ends – than the rates to which it now objects. *See* Dkt 197, at 10, *In re Pareteum Corp.*, No. 22-10615 (Bankr. S.D.N.Y.) ("Sidley's current hourly billing rates, which are charged the same for both bankruptcy and non-bankruptcy clients, currently range from \$660 per hour for new associates to \$1,900 per hour for senior partners and senior counsel.").

Petitioners' motion is GRANTED in all respects. The Plan shall have judgment against White Oak for the additional sum of \$1,654,422.27 in attorney's fees, costs, and disbursements incurred in connection with the Plan's effort to confirm and enforce the arbitral award.

SO ORDERED.

Dated: October 27, 2022

A handwritten signature in black ink, appearing to read 'Lewis A. Kaplan', written over a horizontal line.

Lewis A. Kaplan  
United States District Judge